

Kevin Galalae

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Vice-Chancellor's Office
University Offices
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4 February 2009

Dear Vice-Chancellor Hamilton,

Re: Due regard to promoting race equality and impact assessment of the decision/policy

We all want to live in a society where everyone can participate fully and equally. As a public authority Oxford University is a key contributor to achieving this in the wider community.

Legal duties have been introduced in the areas of disability, gender and race equality. These general and specific duties require public authorities to ensure that practical steps are taken to imbed equality throughout the culture and processes of their organisations. In order to comply with the race duty, authorities must have 'due regard' to the need to eliminate unlawful racial discrimination; promote equality of opportunity; and promote good relations between people of different racial groups.

I am concerned that Oxford University has not given due regard to:

- a. British and European anti-discrimination legislation covering nationality/ethnicity; specifically, the *Race Relations Amendment Act (2000)* which stipulates that public bodies have a statutory duty to promote the principle of equality and opportunity and to monitor the impact of their policies and practice on racial groups; and the *Race Relations Act 1976 (Amendment) Regulations (2003)*, which transposed the EU Race Equality Directive into British law, and which states that it is unlawful to discriminate on racial grounds in, among other areas, education, in the exercise of public functions, and in the provision of goods, facilities and services.
- b. the s43 Education (No 2) Act 1986, which requires higher education institutions to “*take such steps as are reasonably practicable to ensure freedom of speech for students and employees*”, as well as

- c. my expressional rights, as protected by the *Human Rights Act 1998* and by the *European Convention on Human Rights (ECHR)* – specifically Articles 9 and 10 regarding freedom of thought and expression.

in its conflict resolution and adjudication functions. Oxford University has failed to give due regard to due process, access to evidence, and fair hearing.

The general Race Equality Duty requires you to consider race equality in relation to everything you do. The impact assessment is the means by which you can ensure due regard is given to race equality and how effectively to comply with the Duty. However, the impact assessment is a means to an end, not the end in itself.

Please can you indicate how you have had due regard to the need to promote race equality in all its elements in Oxford's decision to expel me from the online Political Philosophy course held between April 20 and July 3, 2009, and in particular can you send me a copy of the race equality impact assessment you conducted before taking this decision to ignore my appeal to you regarding my expulsion. If you have not conducted such an assessment, please indicate why not.

Please forward this information to me in digital format within 20 working days. I will contact you again if I have not received more information from you in this time.

Please also treat this request as one under the Freedom of Information Act.

Yours faithfully,

A handwritten signature in dark ink, appearing to be 'Kevin Galalae', with a long horizontal flourish extending to the right.

Kevin Galalae